

AFFIDAVIT OF SERVICE

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

DOCUMENTS SERVED WITH INDEX # 08CV21771 AND FILED ON MARCH 4, 2008

ATTORNEY(S): Essential Services Group, Jay

Plaintiff

Pfizer, Inc., Pharmacia & Upjohn Company LLC, and Pfizer Health AB

vs

Impax Laboratories, Inc.

Defendant

STATE OF NEW YORK: COUNTY OF ALBANY COUNTY, SS.:

Stacey Jones, being duly sworn deposes and says deponent is not a party to this action, is over the age of eighteen years and resides in the State of New York. That on March 6, 2008 at 11:45am at Corporation Service Company, 80 State St, Albany, NY deponent served the within Summons in a Civil Case and Civil Cover Sheet, Complaint, Statement of Plaintiffs Pursuant to Federal Rule of Civil Procedure 7.1, Instructions for Filing Electronic Case or Appeal

on: Impax Laboratories, Inc. Defendant (herein called recipient) therein named.

INDIVIDUAL

A ☐

By personally delivering to and leaving with said _____ a true copy thereof, and that deponent knew the person so served to be the person mentioned and described in said Summons in a Civil Case and Civil Cover Sheet, Complaint, Statement of Plaintiffs Pursuant to Federal Rule of Civil Procedure 7.1, Instructions for Filing Electronic Case or Appeal

CORPORATION

B ☒

By delivering to and leaving with Georgiana McGinn's at 80 State St, Albany, NY and that deponent knew the person so served to be the General Agent of the corporation. Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person:

SUITABLE
AGE PERSONC ☐

By delivering a true copy thereof to and leaving with _____ a person of suitable age and discretion at _____ the said premises being the defendants/respondents [] dwelling place (usual place of abode) [] actual place of business within the State of New York.

AFFIXING
TO DOOR
D ☐

By affixing a true copy thereof to the door of said premises, the same being the defendant's [] dwelling house (usual place of abode) [] actual place of business within the State of New York.

MAILING TO
RESIDENCE
(use with C or D)E1 ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's residence at _____ and deposited said envelope in an official depository under the exclusive care and custody of the United States Post Office within New York State on _____

MAILING TO
BUSINESS
(use with C or D)E2 ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business at _____ in an official depository under the exclusive care and custody of the United States Post Office within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant and mailed on _____

PREVIOUS
ATTEMPTS
(use with D)F ☐

Deponent had previously attempted to serve the above named defendant/ respondent

Day _____	Date _____	Time _____
Day _____	Date _____	Time _____
Day _____	Date _____	Time _____

Deponent spoke with _____ who stated to deponent that the said defendant(s) lived at the aforementioned address, but did not know defendant's place of employment.

G ☒

DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.

VOID WITHOUT
DESCRIPTION
(Use with A, B, C & D)

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Approximate age 30-35 Approximate weight 130 Approximate height 5,8 Sex Female
Color of skin White Color of hair Brown Other _____

MILITARY
SERVICE
H ☒

Deponent asked the person spoken to whether the defendant/respondent was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not. Your deponent further says that deponent knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

NON-
SERVICE
H ☐

After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served due to the following: [] Not known at address [] Address does not exist [] Evading [] Moved left no forwarding [] Other _____

WIT. FEES

\$ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Sworn to before me on this 7th day of March, 2008

Donna M. Tidings
NOTARY PUBLIC, State of New York
No. 01TI4898570, Qualified in Albany County
Commission Expires June 15, 2011

Stacey Jones
Attny's File No. 606/PS 3-27

Invoice/Work Order # SP0802304